



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,074	11/09/2001	Lum Kok Wah	13DV13864	7321

30540 7590 08/27/2003

PATRICK R. SCANLON
PIERCE ATWOOD
ONE MONUMENT SQUARE
PORTLAND, ME 04101

EXAMINER

ROSENBAUM, IRENE CUDA

ART UNIT

PAPER NUMBER

3726

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/038,074	WAH, LUM KOK	
	Examiner	Art Unit	
	Irene Cuda-Rosenbaum	3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-19, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claim24 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 5.

Applicant's election with traverse of Group I in Paper No. 5 is acknowledged. The traversal is on the ground(s) that whether or not a workpiece was clamped in the apparatus would not have a significant difference on how the apparatus was operated and using the apparatus in a process that does not include a clamping step would not be materially different from the claimed process. . This is not found persuasive because there would be a difference in how the apparatus was operated and if the workpiece were not clamped it would be a materially different process .

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3,7,12,14 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by JP60-64737.

JP “737 teaches a system for correcting twist in airfoil components , the system comprising means for twisting the component, means for measuring the twist

Art Unit: 3726

angle, and means for controlling the means for twisting in response to said means for measuring to obtain a desired twist angle (see the English language abstract, and figs 1-3) the means for twisting includes a first fixture (circled and labeled A by the examiner) and a second fixture for holding a second end of the component(circled and labeled B by the examiner, and in particular part 7) the first fixture is rotated as indicated by the arrows in figure. The system includes a carriage (shown in B) that moves linearly wrt the first fixture and the second fixture(7) is mounted on the carriage. Figure 1 has been labeled with the parts claimed in claim 14. the TV measuring system is considered the gauge.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6,8-9,13,15-19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 60-64737.

JP '737 teaches the system essentially as claimed but lacks a teaching of the particulars of using an adapter, gear reducer and torque sensor, the jaw being interchangeable, and the screw and nut assembly. To use adaptors, gear reducers and torque sensors in machinery is old and well known in the mechanical arts and is not considered novel, and official notice is taken of such. To have the jaws interchangeable, would have been obvious to one of ordinary skill in the art since it is

Art Unit: 3726

old and well known in machinery to use different sized jaws attachable to a holder so that different sized workpieces can be worked on . Further, JP 737 would appear to have a screw assembly essentially as claimed , as shown in figure 1. It is not clear from the figure if there is a nut, however , to use a nut in the screw assembly as claimed would have been obvious since such assemblies are commonly used in the machinery arts.

Allowable Subject Matter

Claims 10-11 and 20-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irene Cuda-Rosenbaum whose telephone number is 703-308-1792. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 308-1148. The fax phone numbers for the organization where this application or proceeding is assigned are 7033087058 for regular communications and 7033087058 for After Final communications.

Art Unit: 3726

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1148.

ICR
August 20, 2003

See 121
See 3726